

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
7500 Security Boulevard, Mail Stop S2-26-12
Baltimore, Maryland 21244-1850



Center For Medicaid and State Operations
Family and Children's Health Program Group
Division of Integrated Health Systems

FROM: Michael Fiore, Director */s/*
TO: Sue Kelly, Associate Regional Administrator, DMSO
Region 11, New York
SUBJECT: New York's 1915(b)(4) Amendment: Madison County's Participation -
ACTION

ACTION REQUIRED BY OCTOBER 14, 2003

On July 16, 2003, the State of New York submitted a request to amend their Section 1915(b)(4) non-emergency transportation services waiver. All waiver requests under Section 1915(b) of the Act are subject to requirements that the State document the cost-effectiveness of the project, its effect on recipient access to and quality of services, and its projected impact. After extensive analysis of the material submitted by the State, we believe that additional information is required before we can render a decision on the State's request. We are therefore attaching specific questions for the Regional Office to forward to New York, which address the review team's concerns.

Under section 1915(f)(2) of the Act, a waiver request shall be deemed granted unless, within 90 days after the date of its submission, the request is denied or the State is informed in writing of any additional information which is needed in order to make a final determination with respect to the request. In this case, this 90-day period ends on October 14, 2003. A second and final 90-day review period will **start** on the day the State's full response to our request is received.

Please find enclosed the list of questions that you need to forward to New York. Please send us a signed copy of the Regional Office's letter to the State that conveys these questions **and** formally stops the 90-day review clock. Please request they respond within 90 days of the date of receipt of the questions.

We would be glad to assist the State to respond to this request and complete their waiver submission. If you have **any** questions regarding this matter, please contact Nancy Keates at (410) 786-5004.

Attachment